

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI**

**IN RE: Cory Daniel Akins
Shanda Arleine Akins, Debtors**

**Case No. 25-11258-SDM
CHAPTER 7**

MOTION PARTIALLY AVOIDING JUDICIAL LIEN

COME NOW, Debtors, by and through counsel, pursuant to 11 U.S.C. §522(f) and Bankruptcy Rule 4003(d), and files this his Motion to void the Judgment Lien of First Tower Loan, LLC (“Respondent”), and in support thereof, would show the Court as follows:

I.

Debtors commenced this proceeding under Chapter 7 of the Bankruptcy Code on 04/21/2025.

II.

That the Debtors have a Judgment Lien against them obtained by First Tower Loan, LLC entered in the Circuit Court of Itawamba County, Mississippi, in the amount of \$7,132.88 enrolled in the Judgment Roll maintained by the Itawamba County Circuit Clerk and filed under case number 29CI1:22-cv-00057 lien number CV22-057KMI, on their homestead located at 159 Ben Moore Road, Fulton, Itawamba County, Mississippi 38843, being more fully described as follows:

One acre, more or less, located in the SW ¼ of Section 33, Township 9 South, Range 8 East, described as follows: Commence at the southeast corner of the said SW ¼ and run west for 40 rods; run thence north for 1394 feet; run thence, along the east side of a gravel road, North 11 degrees and 05 minutes west for 188.04 feet to an iron pipe for the Point of Beginning: Thence, along the east side of said road, North 11 degrees and 05 minutes west for 53.54 feet; thence, along the east side of said road, north 30 degrees and 25 minutes west for 63.78 feet; thence, along the east side of said road, north 45 degrees and 23 minutes west for 80.3 feet; run thence south 76 degrees and 26 minutes west for 253.7 feet to an iron pipe; run thence south 1 degree and 55 minutes east for 104.5 feet to an iron pipe; run thence east for 342.86 feet to the Point of Beginning. LESS AND EXCEPT a strip of land 20 feet wide on the east and south side of said herein above-described land reserved to be used for road right-of-way purposes.

INDEXING INSTRUCTIONS: SW1/4S33, T9S, R8E, Itawamba County, Mississippi

III.

That the Debtors seek an Order from this Court voiding the Judgment listed in Paragraph II. above to the extent it is a lien against their homestead and impairs the debtors' right to claim their homestead exemption pursuant to §85-3-21, Mississippi Code of 1972.

WHEREFORE, Debtors respectfully request that this Court enter an order voiding the lien of First Tower Loan, LLC against them which impairs their homestead exemption, and for such other relief as is deemed just.

Dated May 16, 2025

Respectfully submitted,

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr. (MSBN 103469)
Jennifer A Curry Calvillo (MSBN 104367)
The Rollins Law Firm, PLLC
PO Box 13767
Jackson, MS 39236
601-500-5533
trollins@therollinsfirm.com

CERTIFICATE OF SERVICE

I, Thomas C. Rollins, Jr., do hereby certify that a true and correct copy of the above and foregoing Notice of Right to Request Hearing and Motion to Partially Avoid Lien was forwarded on May 16, 2025, to:

By First Class U.S. Mail, Postage Prepaid:

First Tower Loan, LLC
Attn: Bankruptcy
Po Box 320001
Flowood, MS 39232

John E. Tucker, Attorney
P.O. Box 320001
Flowood, MS 39232

By Electronic CM/ECF Notice:

Case Trustee
U.S. Trustee

/s/ Thomas C. Rollins, Jr.
Thomas C. Rollins, Jr.